REMARKS

In the Office Action, the Examiner rejected claims 1, 15 and 27 under 35 U.S.C. §103(a), and rejected claims 10, 14, 20, 24 and 32 under U.S.C. §103(a). These rejections are fully traversed below.

Claims 1 and 13 have been amended to clarify minor informalities. Thus, claims 1-6, 8-10 and 12-42 remain pending. Reconsideration of the application is respectfully requested.

REJECTION OF CLAIMS 1, 15 AND 27 UNDER 35 USC 103

In the Office Action, the Examiner rejected claims 1, 15 and 27 under 35 USC 103(a) as being unpatentable over Lysenko et al. (US 7,089,319) in view of Levy (US 2002/0052885). Applicants respectfully disagree. Additionally, it appears (although not clear) that claims 2-9, 12, 13, 16-19, 21-23, 25-26, 28-31, 33-42 may also be rejected on these grounds.

Claim 1 is pertains to sharing media data between different application. A first application that uses media information about one or more media content files in a proprietary format can produce a data communication file. The data in the data communication file is derived from the media information such that data internal to the data communication file is acquired from the media information. Thereafter, another different application, a second application program, can access the data communication file to produce a user interface on the display using data internal to the data communication file.

In particular, claim 1, among other things, recites:

>   (b) accessing, by a second application program, a data
> communication file provided by the first application program, the
> first application program utilizing media information about one or
> more media content files in a proprietary format, and the data
> communication file being derived from the media information such
> that data internal to the data communication file is acquired from
> the media information;

As to this limitation of claim 1, the Examiner references column 3, lines 26-30 of Lysenko. This referenced portion of Lysenko merely discusses that there are proprietary multimedia file types that are not always compatible with a generic web browsing application, and that as a result file sharing is complicated because additional third-party software (e.g., plug-ins, players) are needed in order view files of proprietary multimedia file types. Hence, Lysenko is concerned with sharing multimedia files. The fact that Lysenko mentions proprietary multimedia file types is not sufficient to teach or suggest a data communication file having data derived from media information of a first media application as recited in claim 1.

Furthermore, as to the producing of a user interface using the data internal to the data communication file, the Examiner references column 3, lines 39-43 of Lysenko. However, Applicants respectfully submit that this portion of Lysenko merely mentions that multimedia applications are resource-intensive and conventionally require proprietary and high-bandwidth networks. As such, Applicants respectfully submits that Lysenko has nothing to do with "producing, by the second application program, a user interface on the display using data internal to the data communication file" (claim 1, lines 11-12). Still further, since the subsequent operations (d), (e) and (f) of claim 1 are dependent on a user selection with respect to the user interface produced using the data internal to the data communication file, these operations are also not taught or suggested by Lysenko.

Levy pertains to peer-to-peer file sharing using data embedded into a file or content to combat piracy. Notwithstanding, Levy fails to teach or suggest any of the above-noted deficiencies of Lysenko.

Hence, even if one skilled in the art were to combine Lysenko with Levy as the Examiner proposes, the combination of references would still fail to teach or suggest various limitations of claim 1, including those noted above. Accordingly, it is submitted that claim 1 is patentably distinct from Lysenko alone or in combination with Levy.

Claims 15 and 27 are other independent claims directed at sharing media data between computer programs. These claims also make use of a data communication file. As noted above, neither Lysenko nor Levy provides any teaching or suggestion for a data communication file to facilitate sharing media data between applications (or application programs). Therefore, it is submitted that claims 15 and 27 are patentably

distinct from Lysenko alone or in combination with Levy.

Dependent claims 2-6, 8-10, 12-14, 16-26, and 28-42 are also patentably distinct from the cited references for at least the same reasons as those recited above for the independent claim, upon which they ultimately depend. These dependent claims recite additional limitations that further distinguish these dependent claims from the cited references. For at least these reasons, these claims are not anticipated by Lysenko in view of Levy.

REJECTION OF CLAIMS 10, 14, 20, 24 AND 32 UNDER 35 USC 103

The Examiner rejected dependent claims 10, 20, and 32 under 35 USC 103(a) as being unpatentable over Lysenko in view of Levy and further in view of Book et al. (US 2003/0223566); and rejected dependent claims 14 and 24 under 35 USC 103(a) as being unpatentable over Lysenko in view of Perkes et al. (US 2002/0194601). Applicants also respectfully disagree with these rejections.

Neither Book et al. nor Perkes et al. overcome the deficiencies of Lysenko and Levy regarding the exchange of media information as discussed above in regards to the claims that these dependent claims depend on. Thus, it is submitted that claims 10, 14, 20, 24, and 32 are patentably distinct from the cited references for at least the same reasons as those recited above for the independent claims upon which they ultimately depend. Moreover, these dependent claims recite additional limitations that further distinguish these dependent claims from the cited references.

Therefore, for at least the above-notes reasons, Applicants respectfully submit that the rejections under 35 USC 103(a) be withdrawn.

SUMMARY

It is submitted that claims 1-6, 8-10 and 12-42 are patentably distinct from the cited references. Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the

Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 504298 (Order No. 101-P369).

Respectfully submitted,

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